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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the seventh periodic report of the Republic of Korea

Addendum

Information provided by the Republic of Korea in follow-up to the concluding observations*

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I. Introduction

1. The Committee on the Elimination of Discrimination against Women considered the seventh periodic report of the Republic of Korea (CEDAW/C/KOR/7) at its 987th and 988th meetings held on 19 July 2011. In accordance with the request of the Committee that the State party submit written information on the measures taken to implement the recommendations contained in paragraph 15 and 21 of the Concluding Observations, the follow-up report of the Republic of Korea is hereby presented as follows:

II. Summary of key measures

2. In 2012, reflecting the opinions of the National Assembly and women's organizations, the government of the Republic of Korea abrogated legal provisions that had lasted for 60 years requiring adult victims of sexual violence to file a complaint in order to have their cases prosecuted. Before the abolition, only sexual violence against children, people with disabilities, and relatives was exempted from the provisions; the amendment made it possible for any kind of sexual violence case to be prosecuted without a complaint filed by victims. This measure is significant since sexual violence against women is no longer downplayed as a private issue but regarded as a serious crime calling for strict intervention of the state. In addition, the amendment also recognized that an adult male can be an object of sexual violence. It also expanded the scope of sexual violence crimes exempted from the statute of limitations.

3. The Park Geun-hye administration inaugurated on 25 February 2013 proclaimed "four social evils" which should be thoroughly rooted out. The four social evils include sexual violence and domestic violence, which indicates the determination of the government towards the eradication of violence against women and human rights infringement. As part of such efforts, the government plans to increase the number of police officers up to 20,000 by 2017 aiming at strengthening security. In addition, comprehensive measures to prevent sexual violence were established through collaboration with 11 relevant ministries on 21 June 2013, 8 of which also established comprehensive measures to prevent domestic violence on 28 June 2013.

4. The government shared the view that the following five factors rather than just a one-faceted policy need to be considered in order to prevent sexual violence: (1) quick response, (2) strengthening punishment and preventing repeated crimes, (3) promoting effectiveness of education on the prevention of sexual violence, (4) prompt and effective support for victims, and (5) building a safe community. In that context, specific implementation plans were drawn up as follows:

First, the government plans to add smart features to 112 crime report call centres in the second half of 2013 in order to guarantee immediate responses to sexual violence crimes. Audio files of reporters on sexual violence cases will be transferred to the smart phones of police officers in real time and information on sex offenders will be shared.

Second, the government plans to revise relevant laws to increase the minimum level of punishment for the rape of children under the age of 16, thereby reinforcing punishment on sexual violence. A mobile database of sex offenders will be

established in 2013 and will be available in 2014 to prevent repeated crimes related to sexual violence. In addition, a smart electronic anklet system will be set up to alarm any attempt of crimes in advance.

Third, education on the prevention of sexual violence which has been carried out only in schools became mandatory to more than 67,000 government organizations, public institutions, etc., to make the education more effective. "Institutions to support preventive education on sexual violence" laid down a framework that provides preventive education tailored to the lifetime cycle. Year 2013 was declared to be the "first year for preventive education on sexual violence for all citizens" and follow-up measures will be taken to develop and distribute teaching materials customized to target groups of trainees and to foster professional instructors in a systematic manner.

Fourth, for faster and more effective support for victims, the government plans to increase the number of "comprehensive support centres for victims of sexual violence" from the current 32 to 60 by 2017. Such centres provide a wide range of support from counselling to medical, legal, and investigative services. In addition, medical expense support for the victims of sexual violence will be doubled between 2013 and 2017 and legal support for victims will be expanded, such as introducing a free public defender programme to represent victims and increasing the annual budget by 10 per cent to provide free legal service.

Lastly, 11,285 CCTVs will be additionally installed by 2015 to build a safer society, and comprehensive control centres will be established in 230 cities, counties, and districts by 2017 for the integrated management of CCTVs across the country.

5. The number of domestic violence offenders reached around 8,700 in 2012, which was a substantial increase compared to the previous year. Also, the rate of repeated crimes quadrupled over the past four years. Domestic violence is usually committed by intimate ones and it becomes more abusive over time, lasting more than 11 years on average. However, it had not been duly recognized as violence, as it was downplayed as a "family issue" or "private issue", and left unattended with no social intervention or legal protection.

- the number of domestic violence cases detected: 11,461 ('08) → 7,359 ('10) → 6,848 ('11) → 8,762 ('12)
- the rate of repeated domestic violence: 7.9% ('08) → 20.3% ('10) → 32.9% ('11) → 32.2% ('12)

6. Under these circumstances, the government shared the view that domestic violence is no longer a family issue but a social crime, which should be eradicated first and foremost in order to ensure the happy lives of the people. Accordingly, the government set to reduce the rate of repeated domestic violence by 20 per cent from the 32.2 per cent in 2012 to 25.7 per cent in 2017 by reinforcing initial response to domestic violence cases and punishment of perpetrators, overhauling protection systems for victims and their families, and improving the quality of preventive education programmes aimed to raise public awareness thus spreading sound family values.

Specific measures designed to eradicate domestic violence are as follows:

First, to reinforce an emergency response system against domestic violence cases,

(1) penalties will be imposed on those who do not allow police officers to access and investigate the scene of domestic violence and take temporary emergency measures,

(2) initial support will be strengthened by making it mandatory for police officers to visit the scene of domestic violence accompanied by an expert counsellor, and

(3) a legal foundation is being reviewed to limit perpetrators' right to meet children and dispose of their house so that victims and their children can continue to stay safe in the house.

Second, for immediate and effective restraint on domestic violence offenders, the perpetrators will be arrested on the spot. If intoxicated, they will be separated at a police station or an emergency medical centre. In the case of repeated crime or use of weapons, they will be investigated in custody and be put under strict punishment in principle.

Third, infrastructure like protection facilities for the families of victims will be expanded to enable an immediate operation of a protection system for the victims of domestic violence, and "temporary shelters" connected with local resources such as hospitals will be established in areas remote from protection facilities and emergency shelters, so that the victims can receive effective protection upon filing a report to the police.

Fourth, with the belief that the establishment of sound family values is of utmost importance in addition to the prevention and punishment of domestic violence, the government will make preventive education on domestic violence mandatory to not only "school" but also government organizations, local governments, public institutions. It will also strive to raise public awareness through a variety of education programmes.

In addition, education programmes for parents' awareness-raising on the risk of domestic violence will be expanded together with 151 "healthy family support centres"[1] in local governments, "parents education programme" conducted at workplaces, and "happy family camps".

7. For the implementation of the "comprehensive measures to prevent sexual violence" and the "comprehensive measures to prevent domestic violence" as mentioned above, the government will make continuous and aggressive efforts to effectively root out sexual violence and domestic violence through protection and support systems for victims, effective restraint and punishment of perpetrators, and educational programmes to change public perception. The progress of implementation will be checked at regular "consultation meetings" with relevant ministries, and problems will be actively identified and resolved.

[1] The Healthy Family Support Centre offers prevention/counseling/treatment services for family issues, develops programmes to help maintain healthy family relationships, conduct campaigns to promote family culture and provide information related to family.

III. Response to the recommendations contained in paragraphs 15 and 21

Paragraph 15. The Committee calls on the State party to take urgent steps towards the adoption of a comprehensive Anti-Discrimination Act, in line with articles 1 and 2 of the Convention and General Recommendation 28 (2010), which includes a clear prohibition of all forms of discrimination, covering both direct and indirect discrimination, and also taking into account article 2 (4) of the National Human Rights Commission Act (Korea 2005), which prohibits discrimination on the grounds of sexual orientation

8. Since 2010, the government of the Republic of Korea has conducted research on legislations of other countries, particularly those sharing similar legal systems with Korea, in order to enact its own comprehensive anti-discrimination act. Since its inauguration in February 2013, the new Park Geun-hye administration has been working towards legislation of anti-discrimination law and made it top priority on its policy agenda. In this regard, the task force for the enactment of anti-discrimination act was established in May 2013 and consisted of 12 experts and public officials from relevant government ministries. The task force is currently in the process of considering a wide range of issues from grounds, types, areas of, and exceptions to discriminations to remedies. Taking the final opinion of the task force into consideration, the government plans to finalize a draft of the comprehensive anti-discrimination act which is expected to be submitted to the National Assembly by the end of 2013.

9. The Ministry of Gender Equality and Family of the Republic of Korea conducted a "research on improving legislations and policies towards effective anti-gender discrimination (and anti-sexual harassment) measures (2012)". and consideration of improvement measures on the current legal framework (including an anti-discrimination act) to ensure gender equality (2013) as part of its efforts to eliminate sexual discrimination. It has actively suggested its opinions on gender equality and anti-sexual discrimination by participating in the task force for enactment of an anti-discrimination act at the Ministry of Justice.

Paragraph 21. The Committee calls upon the State party to:

(a) Take the necessary measures to encourage the reporting of domestic and sexual violence cases, including by ensuring that education professionals, health care providers and social workers, are fully familiar with relevant legal provisions and are sensitized to all forms of violence against women and are capable of complying with their obligation to report cases

Amendment to the Act on Prevention of Domestic Violence and Protection of Victims

10. *The Act on Prevention of Domestic Violence and Protection of Victims* was legislated in 1997 to prevent domestic violence and to protect and support victims of such violence. Previously, domestic violence had long been perceived as a family issue. Although the policemen were called and sent to domestic violence scenes, the lack of institutional framework hindered active involvement by the police. In this regard, the amendment to *the Act on Prevention of Domestic Violence and Protection of Victims* in 2012 introduced the "right to access and investigate the crime scene of domestic violence for police officers". By enabling police officers to do so and check the safety of victims without relying on the statement of perpetrators, the government hoped to ensure the safety and protection of victims at the initial step.

11. Another amendment to *the Act on Prevention of Domestic Violence and Protection of Victims* was passed in the National Assembly in June 2013 and will enter into force in early 2014. The amendment aims to strengthen the enforcement of *the Act*, whereby mandatory education on the prevention of domestic violence, including reporting domestic violence, will be expanded from schools to state-run organizations, local governments, and public institutions. The police will be obligated to go to the scene of violence, a penalty will be imposed on people who deny the police access to and investigation of the scene, and the central and local governments will be obligated to prepare safety measures in order to ensure the protection of victims and people working for the relevant facilities against domestic violence.

Amendment to the Act on Protection of Children and Juveniles from Sexual Abuse

12. In July 2000, *the Act on Protection of Children and Juveniles from Sexual Abuse* was legislated and enforced to protect children and youths from sexual violence and to help them grow into healthy members of society. In 2008, the obligation to report sex crimes against children and youth was imposed to the heads and employees of schools, medical institutions, and children and youth welfare organizations. These personnel are also obliged to be appropriately educated on their duty to prevent and report sex crimes.

13. In September 2011, the amendment to *the Act on Protection of Children and Juveniles from Sexual Abuse* reinforced the reporting duties of those obligated to report sexual crimes against children and adolescents, such as social workers, employees at educational facilities, and those working for medical institutions, by imposing a fine of up to 3 million KRW (equivalent to about $2,800) on people who neglect their duty to report a sex crime case of which they are aware to an investigation agency. In addition, if people under duty to prevent and report sex crimes against children and the youth commit such sexual crimes against the children and youths under their protection, supervision, or treatment, they will be subject to additional punishment of up to 1/2 of the punishment prescribed by the law. This measure aims at enhancing the social responsibility of those with the obligation to report.

Amendment to the Act on Prevention of Sexual Violence and Protection of Victims

14. The government has made continuous efforts to provide more effective protection and support to victims of sexual violence. In that regard, *the Act on Punishment of Sexual Violence and Protection of Victims* of 1994 was changed to *the*

Act on the Prevention of Sexual Violence and Protection of Victims in 2010, dividing the previous act into two separate acts; the punishment act and the protection of victims act. The new Act laid a legal ground for supporting school attendance of victims and the living and educational expenses and childcare allowances for the victims of sexual violence in shelters and their respective families, and for establishing comprehensive support centres that provide counselling services on sexual violence, medical treatment, and investigation assistance.

15. In addition, the amendment to *the Framework Act on Women's Development* in 2013, which will come to effect in 2014, lays the legal foundation to comprehensively implement the preventive education on sexual violence, sexual harassment, domestic violence, and prostitution from the gender-equality perspective. At the same time, the support system to gradually implement preventive education has been established and has been in operation, while "supportive institutions for preventive education" developed and distributed educational programmes for different stages of life cycle, trained professional instructors, and carried out monitoring in order to promote the effectiveness of preventive education.

16. Moreover, a "teachers' manual on sex education" was developed and distributed in 2011 to elementary, middle, and high schools to guarantee systemic sex education for students . In 2013, hours for sex education at school increased from 10 to 15 hours. Quality content for sex education and educational materials tailored to different developmental stages of students' life cycle are continuously developed at the national level.

Education programmes to raise awareness on the reporting of sexual violence cases

17. Since 2008, education programmes on the prevention and reporting obligation of sexual violence cases have been provided annually to those under duty to report children and youth sex crime cases including employees at educational facilities, employees at medical institutions, and social workers under the Act on Protection of Children and Juveniles from Sexual Abuse. Accordingly, 35,408 people completed the education programmes from June 2008 to July 2013.

18. Social workers and nurses at supporting institutions on the cases of violence against women receive professional job training and complementary education to let them understand relevant legislations and to facilitate victim counselling and crime reporting. In 2012, a total of 2,412 workers of service institutions across the country completed such education programmes.

19. As the importance to heighten the awareness of investigators has been recognized in terms of initial response to domestic violence cases and securing the safety of victims, two classes on "gender equality awareness education" were set up in local police academies, which were taken by 2,272 policemen since 2011. In 2012, 36,239 people were educated by professional lecturers sent to police stations and constabularies. A two-day programme, practical lesson on response to domestic violence, was newly established in 2013 to provide in-depth education with 16,900 people completing the programme as of the end of June 2013. In the future, a booklet containing cases of on-site response to domestic violence will be published and used to educate the police.

20. The government printed posters with guidelines on the sexual violence prevention and hotline numbers to call when reporting a case. The posters are

tailored to elementary, middle, and high school students respectively and distributed to schools across the country in April 2013. These are to be posted in all classrooms so as to raise awareness on the prevention of sexual violence at educational institutions, thereby encouraging students who fall victim to sexual violence to actively seek counselling as well as teachers to make immediate reporting thereof.

Paragraph 21. The Committee calls upon the State party to:

(b) Review and amend the Criminal Code and other relevant legislation to remove provisions which require adult victims of sexual violence to file a complaint in order to have their cases prosecuted

As to removing provisions which require adult victims of sexual violence to file a complaint in order to have their cases prosecuted

21. The Ministry of Justice carefully considered the abrogation of the provisions requiring adult victims of sexual violence to file a complaint to have their cases prosecuted because these provisions were originally introduced in consideration of privacy and the right to self-determination of sex crime victims. However, sex crimes recently emerged as a serious social issue in the Republic of Korea and a social consensus was created towards a sterner response to sex crimes against women, children, and youths. In September 2012, following the consultation between the government and the ruling party, the Ministry began the review of the elimination of the said provisions in a more proactive manner.

22. Relevant legislations such as *the Criminal Act*, *the Act on Special Cases for the Punishment of Sex Crimes*, and *the Act on Protection of Children and Juveniles from Sexual Abuse* were amended in December 2012 to abrogate the provisions requiring adult victims of sex crimes to file a complaint for the prosecution of their cases. The amendments came into force on 19 June 2013. In addition, the object of rape crime defined in *the Criminal Act* was expanded from a "woman" to a "person," thereby including a man to the scope of the object of rape.

Strengthened protection for victims of sexual violence

23. To strengthen the protection of victims of sexual violence, the government has expanded the free public defender programme which was launched on 16 March 2012 to defend children victims of sexual violence. As a result, the programme has come to be applied to all victims of sexual violence since 19 June 2013. Ever since, public defenders were assigned to victims of sexual violence, thereby providing quick and effective legal support throughout the entire procedure of criminal cases. Defenders also aid the collaboration with comprehensive support centres for victims of sexual violence. The number of such public defenders is expected to increase in the future.

24. The system of testimony assistants was adopted in 2013 to prevent victims of sexual violence from being revictimized in the investigative and judicial process. Under the system, experts of a neutral stance will assist the communication between victims and investigative and judicial institutions if victims have difficulties in communication because they are under the age of 13 or disabled. The testimony

assistants participate in the investigation and trial process upon the request of victims or by the authority of prosecutors and police officers. They are able to submit their opinions on victims' characteristics, communicative skills, and ability of expression to the investigation agency or the justice department.

25. Revictimization often occurs not only by investigation agencies and judiciary institutions but also by yellow and competitive coverage of the media. The system called "human rights guardians for female and child victims", was therefore introduced in March 2013 for victims of sexual violence, domestic violence, child abuse, prostitution, etc. to monitor revictimization by the press and investigative or judicial institutions. The guardians consist of about 50 experts including lawyers, reporters, professors, doctors, and activists in NGOs. Their suggestions will be reflected in the policy so as to enhance the effectiveness of the monitoring system.

Paragraph 21. The Committee calls upon the State party to:

(c) Take measures to increase the number of women police officers and steps to enhance their capacity to deal with cases of violence against women in a gender sensitive manner.

As to taking measures to increase the number of women police officers and steps to enhance their capacity

26. As a result of the continuous efforts by the police to increase the proportion of women police officers, the ratio of women officers to the entire police force jumped from 4.1 percent in 2004 to 7.6 percent by the end of March 2013. As of 2013, women accounted for 20 percent of newly recruited police officers during the past three years. If such trend continues, the ratio is expected to reach 10 percent by 2017. Women police officers are generally assigned not only in local constabularies, police stations, and substations but also in comprehensive support centres for victims of domestic violence. They are effectively dealing with the crimes against the marginalized groups of society. With the increase in the number of women police officers, their opinions will be incorporated in the human resources decision when they apply to a division related to violence against women, and their work areas will be enlarged. In addition, sexual discrimination will be prevented in investigative works by providing gender-sensitive education to all police officers.

Table 1
The Proportion of Women Police Officers in the Police Force
(Unit: the number of female police officers)

	2004	*2010*	*2011*	*2012*	*Mar. 2013*	*2017 (estimate)*
Female police officers	4.1% (3 803) →	6.8% (6 830)	7.0% (7 183)	7.5% (7 688)	7.6% (7 815) →	**10% (12 000)**

Operation of the sexual violence investigation teams

27. 83 police officers are assigned (as of May 2013) to 22 one stop support centres nationwide where victims of sexual violence are provided with medical and counselling services. They also support the investigation process for victims.

28. However, as 22 one stop support centres were not enough to make an immediate response for the victims distant from centres, "sexual violence investigation teams" consisting of women police officers only were established at police stations located away from the centres. This expanded the system for investigation support for children, women, and those with disabilities. In principle, the sexual violence investigation teams are responsible for investigating victims of all sexual violence cases occurred within their jurisdiction. They also assist victims recover from violence after the investigation by making a referral to counselling offices and medical institutions.

As to taking steps to enhance capacity of investigation conducted by the comprehensive support centres for victims of sexual violence and sexual violence investigation teams

29. Police officers assigned to comprehensive support centres and sexual violence investigation teams shall continue to take educational programmes in order to improve their investigation capabilities, such as a training course on NICHD[2] which is a methodology of counselling and investigation specialized in sex crimes against children and the disabled. The NICHD course aims to reinforce the protection of victims by helping investigators better understand difficulties that children and the disabled are experiencing when they make a testimony or self-justification. The course also helps take such characteristics into consideration during investigation, thus making sure children and the disabled do not have to make repeated testimonies while their statements are taken with greater credibility.

[Education Programmes Currently Provided to Investigators of Sexual Violence (Since July 2011–Present)]

- Workshop with foreign experts on testimonies by victims with disabilities (Nov. 2011)
- Practicum for the Sexual Violence Investigation Teams at the One-Stop Support Centres (Oct. 2011)
- Training courses on the NICHD methodology for police officers assigned to the One-Stop Support Centres (Apr. 2012)
- Training courses on the methodology for testimony analysts and police officers at the One-Stop Support Centres (Jun. and Dec. 2012)
- General education programmes for all sexual violence investigators (Nov. 2012)
- Training materials distributed to new recruits to the special investigation teams and collective training conducted by the chief of investigation (Feb. 2013)

[2] NICHD protocol: investigation methodology developed by the National Institute for Child Health and Development in the USA (NICHD).

- Professional training for the special investigation teams at the local branch offices (Feb. 2013)
- Training courses on the investigation methodology tailored to child and disabled victims for testimony analysts and heads of one-stop investigation teams (Mar. 2013)

Paragraph 21. The Committee calls upon the State party to:

(d) Conduct awareness raising campaigns for women, including foreign women to make them aware of their rights and avenues of redress, including measures available for protection and prevention against domestic violence

As to conducting awareness-raising campaigns for foreign women by offering introductory education for marriage migrants in their home countries prior to their departure

30. To support the stability of marriage and early settlement of multi-cultural families, the Ministry of Gender Equality and Family is offering introductory education to spouses-to-be before they come to Korea to get married. Launched in 2008, the introductory education programme has provided information about life in Korea and social support services designed for marriage migrants. Currently, introductory sessions are conducted in five locations in three countries — Viet Nam, Mongolia, and the Philippines. A stable ground for such education is laid down by enhancing cooperation through MOUs with the governments of the sending countries and also through training programmes for government officials. In addition, systemic education is being offered to marriage migrants in the early stage of settlement through development of standard education materials and programmes.

31. Along with other relevant government ministries, the Ministry of Gender Equality and Family has implemented various measures to support marriage migrants to adjust to the Korean society and to assist multicultural families integrate. In particular, the "Danuri call centre" provides telephone counselling services in ten different languages for marriage migrants who have difficulties with basic communication with their Korean spouses. The hotline especially contributes to the prevention of domestic violence by providing fast and specific consultations on cultural, communicational, financial, and marital conflicts with spouses or other family members.

Emergency support centres for migrant women (1577-1366) in operation

32. The government operates 7 emergency support centres for migrant women across the country that provide counselling, emergency support, and services linked with relevant facilities such as the police, hospitals and shelters around the clock. In order for immigrant women to recognize their rights and receive the information on the supporting measures related to domestic violence, the centres regularly conduct campaigns on the prevention of violence against immigrant women and promotion of the measures for victims. The centres also carry out campaigns to raise awareness of local residents.

33. In 2013, the Ministry of Gender Equality and Family added Nepali to the list of foreign languages in which the hotline centres provide counselling service, and thus, counselling service is currently provided in 12 languages in total. The centres provide various other services such as on-site counselling for migrant women who suffer from domestic violence, interpretation for family/spouse counselling, interpretation/translation for court testimony, and translation of official documents issued by the home county of migrant women. As of 2013, 22 shelters for migrant women, 1 group home, and 1 rehabilitation support centre are in operation, leading the efforts to protect the human rights of migrant women.

34. In addition, the "written notice of rights related with domestic violence" was published in 2013, which was provided by the police to victims of domestic violence on the spot to specifically inform them of their rights and supporting measures. For migrant women, a translated version (in English, Chinese, Vietnamese, Filipino, Mongolia, etc.) is also available. In the second half of 2013, an updated version of the notice will be distributed to local governments, facilities related to domestic violence, and hospitals across the country. Newly added information shall include the victims' right to "refuse counselling with the spouse" and "restrict the spouse's right to meet the children" in order to prevent the risk of exposure to secondary violence likely incurred in the process of divorce.

Campaigns to raise awareness on sexual and domestic violence

35. Campaigns on the prevention of domestic violence were substantially strengthened in order to raise public awareness on domestic violence. For instance, public advertisement, "power to prevent domestic violence", has continuously been broadcasted on terrestrial channels, cable channels, subways, and express trains since January 2012. Since 2013, advertisements of the hotline for domestic violence (1366) and the hotline for violence against migrant women (1577-1366) have been posted buses and bus stops. A programme aimed at raising awareness on domestic violence also aired in collaboration with a terrestrial broadcasting company. The guideline on the prevention of domestic violence (25,000 copies in 2011) and the handbook for victims of domestic violence (50,000 copies in 2012) were released and distributed through public offices across the country to help the public easily understand the supportive measures for victims of domestic violence. The 1366 hotline centres, the 1577-1366 hotline centres, and the counselling centres for domestic violence across the country are conducting regular campaigns on domestic violence as well.

36. In 2011, commemorating the enforcement of *the Act on Prevention of Sexual Violence and Protection of Victims*, the 1st "End to Sexual Violence Week" (from 25 November to 1 December every year) was initiated. During the week, the Ministry of Gender Equality and Family, in cooperation with facilities for female victims of violence across the country and local governments, campaign for creating a happy community free from violence against women, promotional campaigns to raise public awareness symposiums, award ceremonies for exemplary individuals and institutions which made significant contributions to the prevention of violence against women. In July 2013, the "sunflower campaign for safety of children and women" was conducted with a wide range of participants from the central government to local governments, private companies, and civic groups. In particular, with an aim to create a safe society free from sexual violence, the Ministry of Gender Equality and Family is making its utmost efforts including

exploring ways to deliver anti-violence messages to broader. To this end, the Ministry cooperated with telecom service providers, financial institutions, and chain businesses which have broader contact points with the general public to tap into a variety of communication tools (private companies' newsletters and e-mails to customers such as financial institutions, ad monitors on bus and at airports, electronic bulletin boards on subway, and school newsletters to parents, etc.).

Paragraph 21. The Committee calls upon the State party to:

(e) Take all legislative measures necessary to criminalize marital rape, defined on the basis of lack of consent of the wife

37. As the amended *Criminal Act* has expanded the object of the rape crime from a "woman" to a "person" and a spouse is not excluded from the object, marital rape can be punished under the provisions of the current *Criminal Act*. On 16 May 2013, even before the amended *Criminal Act* came into force on 19 June 2013, the Supreme Court rendered an important judgment regarding marital rape. In the judgment, the Supreme Court reaffirmed that "the definition of a woman set forth as the object of rape in *the Criminal Act* refers to all women regardless of age and marital status" and concluded that "any sexual intercourse forced by violence or threat will be subject to criminal punishment even though it occurred between spouses under an effective marriage relationship".

38. Previously, the Prosecutors' Office prosecuted marital rape as a crime of rape, which was upheld by lower courts. Yet, the recent Supreme Court judgment particularly confirmed the stance of the Judiciary that a forced sexual intercourse in effective marriage can be punished by the provisions under the current *Criminal Act*. Since the stance of the Judiciary has been reaffirmed by this Supreme Court judgment, additional legislative measures are not considered to be needed.

Paragraph 21. The Committee calls upon the State party to:

(f) Collect data and conduct research on the prevalence, causes and consequences of all forms of violence against women, including violence in the domestic sphere, in line with the Committee's general recommendation No. 19 (1992), and use such data as the basis for further comprehensive measures and targeted interventions. It invites the State party to include statistical data and the results of measures taken in its next periodic report.

As to collecting data and conducting research on all forms of violence against women

39. Every three years, the government of the Republic of Korea conducts a fact-finding survey on violence against women including sexual violence, domestic violence, and prostitution. In 2012, the Korean Statistical Society (KSS) was commissioned to develop measures to improve the quality of the survey, particularly

the survey items and methods. The result of the study will be reflected in the fact-finding survey which will be carried out in 2013. The survey on domestic violence will be conducted with sampling of 5,000 ordinary households and 2,860 people vulnerable to domestic violence including children, teenagers, people with disabilities and marriage migrants. The survey on sexual violence will include 3,500 ordinary households and 3,530 people such as children, teenagers, people with disabilities, and female college students. The survey on prostitution will be conducted in brothels and concentrated areas of prostitution in order to analyze the occurrence of violence against women and the damage by the violence. Based on the survey, the government will work out to lay a foundation for the policy improvement.